

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CYNTHIA VEGA MURILLO and
MIGUEL PEREZ-ESPINOSA,

Defendants.

CASE NO. CR11-5079BHS

ORDER

This matter comes before the Court on Defendant Cynthia Vega Murillo's unopposed motion to continue the trial date. The Court, having considered the unopposed motion and the Defendants speedy trial waivers, makes the following findings of fact and conclusions of law:

1. Discovery in this matter is ongoing.
2. The defense needs additional time to investigate all factual allegations, locate and interview witnesses, conduct legal research and prepare and file pretrial motions.
3. The defense needs additional time to explore all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).
4. Taking into account the exercise of due diligence, a continuance is necessary to allow the defendant the reasonable time for effective preparation of her defense. 18 U.S.C. § 3161(h)(7)(B)(iv).

1 5. Proceeding to trial absent adequate time for the defense to prepare would result in a
2 miscarriage of justice. 18 U.S.C. § 3161 (h)(7)(B)(i).

3 6. The ends of justice served by granting this continuance outweigh the best interests of
4 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B).

5 7. Defendant Cynthia Vega Murillo waived speedy trial through June 30, 2015;
6 Defendant Miguel Perez-Espinosa waived speedy trial through July 31, 2015.

7 NOW THEREFORE, IT IS HEREBY ORDERED

8 That the trial date is continued from March 31, 2015 to June 16, 2015; Pretrial
9 Conference is set for June 8, 2015 at 10:00 a.m.; pretrial motions are due by May 5, 2015. The
10 resulting period of delay from March 31, 2015 to June 16, 2015 is hereby excluded for speedy
11 trial purposes under 18 U.S.C. § 3161 (h)(7)(A) and (B)

12 Dated this 20th day of March, 2015

13
14 

15 BENJAMIN H. SETTLE
16 United States District Judge
17
18
19
20
21
22